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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,393	03/12/2004	Michael Naimark	345288017US	7182
25/096	7590	05/01/2009		
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
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			05/01/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* MICHAEL NAIMARK,  
AVIV BERGMAN, EMILY WEIL,  
IGNAZIO MORESCO  
and  
BALDO FAIETA

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Application No. 10/800,393  
Technology Center 2100

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Mailed: May 1, 2009

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Before PAMELA S. BENNETT, *Review Team Paralegal*.  
BENNETT, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on April 21, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

REQUEST FOR WITHDRAWAL OF APPEAL

Appellants filed a Request for Withdrawal of Appeal dated March 26, 2009. There is no indication on the record that the Examiner has considered the above Request for Withdrawal of Appeal.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Request for Withdrawal of Appeal filed March 26, 2009 as required; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

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